

SENATE BILL 3935

By Gresham

AN ACT to amend Chapter 220 of the Private Acts of 1953; as amended by Chapter 110 of the Private Acts of 1961; and any other acts amendatory thereto, relative to the City of Middleton corporate boundaries and election of the board of mayor and alderpersons.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 220 of the Private Acts of 1953, as amended by Chapter 110 of the Private Acts of 1961, and any other acts amendatory thereto, is amended by deleting Section 1.03 in its entirety and by substituting instead the following:

Section 1.03. *City limits. Be it further enacted*, That the boundaries of the City of Middleton shall be those fixed by Section 1.03 of Chapter 110 of the Private Acts of 1961, and all other acts amendatory thereto, which amended Chapter 220 of the Private Acts of 1953, and embrace all the territory within the corporate limits of the City of Middleton as of the effective date of this act, and as heretofore established and defined by annexations of the City of Middleton and by law as may hereafter be modified pursuant to general law or ordinances of the City of Middleton. The precise boundaries shall be kept on record by the City Recorder.

SECTION 2. Chapter 220 of the Private Acts of 1953, as amended by Chapter 110 of the Private Acts of 1961, and any other acts amendatory thereto, is amended by deleting Section 2.01 in its entirety and by substituting instead the following:

Section 2.01. *Election of board of mayor and alderpersons. Be it further enacted*, That on the first Tuesday after the first Monday in November 2012, a non-partisan election shall be conducted by the county election commissioners, at the same hours and places for holding general elections and under the general election laws of the

state, to elect a mayor and five (5) alderpersons from the city at large. Thereafter, a non-partisan election shall be held on the first Tuesday after the first Monday in November every four (4) years concurrent with the state's regular November election to elect a mayor and alderpersons. The incumbent mayor and alderperson whose terms expire in February of 2011 shall have their terms extended to the first Monday of December following the November 2012 election, or until their successors have been elected and qualified. Any elector who is a resident and legally qualified voter of the City of Middleton may become a candidate by submitting to the county election commissioners, by twelve o'clock (12:00) noon, prevailing time, on the third Thursday in the third calendar month before the election, a petition nominating him or her and signed by at least twenty-five (25) electors. If an elector signs more petitions than the number of mayor and alderpersons to be elected, in the first or any succeeding election, the elector's signature shall be invalid on the petitions last filed. All persons who are qualified to vote under the general election laws of the state and who reside in the City of Middleton shall be entitled to vote in any municipal election. Provided, however, that any person who owns real property in the corporate limits of the City of Middleton but resides outside of the corporate limits and is otherwise a qualified voter in the state is entitled to vote in any municipal election.

The terms of office of mayor and alderpersons shall be for four (4) years and shall begin at 12:01 p.m. on the first Monday of December next following their election, and the mayor and alderpersons shall serve until their successors have been elected and qualified. No informality shall invalidate such an election; provided, that it is conducted fairly and in substantial conformity with the requirements of this act.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Middleton. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Middleton and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.